

1 AN ACT concerning vehicles.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Section 6-303 as follows:

6 (625 ILCS 5/6-303) (from Ch. 95 1/2, par. 6-303)

7 Sec. 6-303. Driving while driver's license, permit or
8 privilege to operate a motor vehicle is suspended or revoked.

9 (a) Any person who drives or is in actual physical
10 control of a motor vehicle on any highway of this State at a
11 time when such person's driver's license, permit or privilege
12 to do so or the privilege to obtain a driver's license or
13 permit is revoked or suspended as provided by this Code or
14 the law of another state, except as may be specifically
15 allowed by a judicial driving permit, family financial
16 responsibility driving permit, probationary license to drive,
17 or a restricted driving permit issued pursuant to this Code
18 or under the law of another state, shall be guilty of a Class
19 A misdemeanor.

20 (b) The Secretary of State upon receiving a report of
21 the conviction of any violation indicating a person was
22 operating a motor vehicle during the time when said person's
23 driver's license, permit or privilege was suspended by the
24 Secretary, by the appropriate authority of another state, or
25 pursuant to Section 11-501.1; except as may be specifically
26 allowed by a probationary license to drive, judicial driving
27 permit or restricted driving permit issued pursuant to this
28 Code or the law of another state; shall extend the suspension
29 for the same period of time as the originally imposed
30 suspension; however, if the period of suspension has then
31 expired, the Secretary shall be authorized to suspend said

1 person's driving privileges for the same period of time as
2 the originally imposed suspension; and if the conviction was
3 upon a charge which indicated that a vehicle was operated
4 during the time when the person's driver's license, permit or
5 privilege was revoked; except as may be allowed by a
6 restricted driving permit issued pursuant to this Code or the
7 law of another state; the Secretary shall not issue a
8 driver's license for an additional period of one year from
9 the date of such conviction indicating such person was
10 operating a vehicle during such period of revocation.

11 (c) Any person convicted of violating this Section must
12 shall be sentenced to a mandatory term of imprisonment of
13 between 180 and 364 days and a minimum fine of \$1,000 ~~serve-a~~
14 ~~minimum--term-of-imprisonment-of-7-consecutive-days~~ or 120 30
15 days of community service when the person's driving privilege
16 was revoked or suspended as a result of:

17 (1) a violation of Section 11-501 of this Code or a
18 similar provision of a local ordinance relating to the
19 offense of operating or being in physical control of a
20 vehicle while under the influence of alcohol, any other
21 drug or any combination thereof; or

22 (2) a violation of paragraph (b) of Section 11-401
23 of this Code or a similar provision of a local ordinance
24 relating to the offense of leaving the scene of a motor
25 vehicle accident involving personal injury or death; or

26 (3) a violation of Section 9-3 of the Criminal Code
27 of 1961, as amended, relating to the offense of reckless
28 homicide; or

29 (4) a statutory summary suspension under Section
30 11-501.1 of this Code.

31 Such sentence of imprisonment or community service shall
32 not be subject to suspension in order to reduce such
33 sentence.

34 (d) Any person convicted of a second or subsequent

1 violation of this Section shall be guilty of a Class 4 felony
2 and must be sentenced to a mandatory minimum term of
3 imprisonment of 2 years and a minimum fine of \$10,000 if the
4 original revocation or suspension was for a violation of
5 paragraph (b) of Section 11-401 or Section 11-501 of this
6 Code, or a similar out-of-state offense, or a similar
7 provision of a local ordinance, a violation of Section 9-3 of
8 the Criminal Code of 1961, relating to the offense of
9 reckless homicide, or a similar out-of-state offense, or a
10 statutory summary suspension under Section 11-501.1 of this
11 Code.

12 (e) Any person in violation of this Section who is also
13 in violation of Section 7-601 of this Code relating to
14 mandatory insurance requirements, in addition to other
15 penalties imposed under this Section, shall have his or her
16 motor vehicle immediately impounded by the arresting law
17 enforcement officer. The motor vehicle may be released to
18 any licensed driver upon a showing of proof of insurance for
19 the vehicle that was impounded and the notarized written
20 consent for the release by the vehicle owner.

21 (f) For any prosecution under this Section, a certified
22 copy of the driving abstract of the defendant shall be
23 admitted as proof of any prior conviction.

24 (Source: P.A. 90-400, eff. 8-15-97; 90-738, eff. 1-1-99;
25 91-692, eff. 4-13-00.)

26 Section 99. Effective date. This Act takes effect upon
27 becoming law.